

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE PHARMACY EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
MICHAEL F. JENSEN, R.Ph.,	:	<u>ORDER 0000246</u>
RESPONDENT.	:	

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[Division of Enforcement Case # 09PHM035]

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

MICHAEL F. JENSEN, RPH  
3248 Parkwood Drive  
Stevens Point, WI 54481

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Wisconsin Pharmacy Examining Board  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Pharmacy Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Michael F. Jensen, R.Ph., Respondent, date of birth 05/14/1959, is licensed by the Wisconsin Pharmacy Examining Board as a pharmacist in the state of Wisconsin pursuant to license number 11944, which was first granted May 31, 2010.
2. Respondent's address of record with the Department of Regulation and Licensing is 3248 Parkwood Drive, Stevens Point, WI 54481.
3. At the time of the events set out below, Respondent was employed as a pharmacist by Aurora Pharmacy, 5657 E. Hwy 10, Stevens Point, Wisconsin, 54481.

4. On April 7, 2009, a consumer, who was a regular customer of the Aurora Pharmacy in which Respondent worked, attempted to get refills of two medications—Keppra 250 mg, and Keppra 750 mg.

5. The consumer received two bottles one labeled Keppra 250 mg, the other labeled Keppra 750 mg. The consumer, however, received only 750 mg Keppra. One bottle of medication, though labeled 250 mg, actually contained 750 mg.

6. Respondent was the managing pharmacist. Respondent acknowledged that errors occurred at preparation, checking and dispensing. Final verification and consultation should have detected the errors in preparation, checking and dispensing error.

7. Respondent has been licensed for seventeen years and this is his first discipline. Respondent was conscientious in addressing this matter and implemented new policies designed to avoid future errors of this kind.

#### CONCLUSIONS OF LAW

1. The Wisconsin Pharmacy Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 450.10 and has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44(5).

2. The conduct described above constitutes a violation of Wis. Admin. Code §§ Phar 7.01(1)(e) and subjects Respondent to discipline pursuant to Wis. Stat. § 450.10(1).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Michael F. Jensen, R.Ph., is REPRIMANDED for the conduct set out above.

2. Respondent shall, within 60 days from the date of this Order, pay to the Department of Regulation and Licensing a forfeiture in the amount of \$250.00, pursuant to Wis. Stat. § 450.09(8).

3. Respondent shall, within 60 days from the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$250.00, pursuant to Wis. Stat. § 440.22(2).

4. All payments required by this Order shall be mailed or delivered to:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax: (608) 266-2264  
Telephone: (608) 267-3817

5. In the event Respondent fails to timely submit any payment of the forfeiture as set forth above or fails to pay costs as ordered, Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

6. This Order is effective on the date of its signing.

Wisconsin Pharmacy Examining Board

By: Deanne Swenson GS  
A Member of the Board

June 7, 10  
Date